



THE CITY OF SAN DIEGO

HOW TO OBTAIN A NEIGHBORHOOD USE PERMIT FOR A

Sidewalk Cafe

CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

1222 FIRST AVENUE, MS 301, SAN DIEGO, CA 92101

CALL (619) 446-5300 FOR APPOINTMENTS AND (619) 446-5000 FOR INFORMATION.

INFORMATION

BULLETIN

523

MAY 2001

This information bulletin describes the minimum submittal requirements for a Sidewalk Cafe Neighborhood Use Permit application. If the proposed sidewalk cafe is located in the Centre City Development Corporation (CCDC) planning area, please contact CCDC at (619) 235-2200 to process your Neighborhood Use Permit for a sidewalk cafe. To find out if your project is in the CCDC planning area, which includes most of the downtown San Diego area, call our general information number at (619) 446-5000 or CCDC at (619) 235-2200. If the proposed sidewalk cafe is within the Coastal Overlay Zone, a Coastal Development Permit may also be required (see Land Development Code Section 126.0704).

I. WHAT IS A SIDEWALK CAFE?

A sidewalk cafe is an area adjacent to a street level eating and/or drinking establishment, and is located on the sidewalk area within the public right-of-way. This area is used exclusively for dining and drinking. The sidewalk cafe area is separated from the pedestrian area of the sidewalk and is enclosed by railings or landscaping in planter boxes, or a combination of both. Contained within the area of the sidewalk cafe may be such items as canopies, awnings and umbrellas.

II. SUBMITTAL REQUIREMENTS

Phone (619) 446-5300 to schedule a submittal appointment for a Sidewalk Cafe Neighborhood Use Permit. At this appointment, provide information in the quantities shown below.

A. Application Package

Provide one copy of the following documents:

- ☐ **General Application** (DS-3032)
- ☐ **Parcel Information Checklist** (DS-302)
- ☐ **Ownership Disclosure Statement** (DS-318), signed by the adjacent street level business owner(s).
- ☐ **Encroachment and Maintenance Removal Agreement** (DS-3237). The Agreement must be signed by the property owner of the property directly adjacent to the sidewalk cafe and notarized. If the property owner and business owner are different, ensure this form is signed and notarized by the *property owner*.

Documents referenced in this Information Bulletin

- **Encroachment and Maintenance Removal Agreement (DS-3237)**
- **General Application (DS-3032)**
- **Parcel Information Checklist (DS-302)**
- **Ownership Disclosure Statement (DS-318)**
- **Information Bulletin 512, "How to Obtain Public Noticing Information"**
- **Information Bulletin 503, "Fee Schedule for Development & Policy Approvals/Permits"**
- **Information Bulletin 502, "Fee Schedule for Construction Permits - Grading & Public Right-of-Way"**

- ☐ **Grant Deed** - A copy of the Grant Deed is required to provide proof of current ownership for the adjacent street level business.

B. Photographic Survey

Provide two sets of photographs showing the area for the proposed sidewalk cafe. The photographs should be in color (minimum size 3" x 5" and maximum size of 8" x 10"), placed in an envelope (not mounted), and include a map with key indicating the location and direction each photograph was taken.

C. Public Notice Package

A public notice package is required as part of your submittal. This will be used to notify adjacent tenants and property owners of the proposed sidewalk cafe. See Information Bulletin 512, "How to Obtain Public Noticing Information" for more details. The public notice package consists of the following:

- ☐ **Mailing Labels** - Provide one set of adhesive mailing labels, on 8 1/2" by 11" sheets. Each set includes the names and addresses of current property owners located within a 300 foot radius of the perimeter of the property for which an application is being made. Where properties are not owner-occupied, resident labels must also be provided in addition to the property owner labels.
- ☐ **Copy of Mailing Labels**
- ☐ **Assessor's Map(s)** - Assessor's Parcel Maps outlining a 300' radius from the *perimeter* of the premise adjacent of the sidewalk cafe.

Printed on recycled paper. This information is available in alternative formats for persons with disabilities.

To request this document in alternative format, call (619) 446-5446 or (800) 735-2929 (TT).

Be sure to see us on the WorldWide Web at www.ci-san-diego.ca.us/development-services

DS-5523 (5-01)

D. Plans

Plans must be fully dimensioned and no larger than 8 1/2 inches by 11 inches. Provide eight (8) sets of plans, to include:

- ❑ **Development Summary** - Provide, in a table format, the following information on the first sheet of the plans:

1. Provide a bullet point narrative that details the project's complete scope of work, including all existing and proposed improvements, any proposed development regulation deviations, and the required permits/approvals.
2. Show the Project Team - List name and phone number of all consultants including engineers, architects, designers and contractors.
3. Show legal description and Assessor Parcel Number(s) for the property that the development is proposed on.
4. Show owner's name and address.
5. Show type of construction of the adjacent street-level business per the California Building Code.
6. Show occupancy classification of the adjacent street-level business per the California Building Code.
7. List the name and type of the adjacent street-level business that the sidewalk cafe will be serving. Indicate if the business is existing or proposed.
8. Provide the total square footage of the sidewalk cafe area.
9. Show the zoning designation and/or overlay zone designations.

- ❑ **Site Plan**

A site plan is a dimensioned drawing which shows the general layout of the sidewalk area and building frontage (see Figure 1 for a sample sidewalk cafe site plan). The site plan must be drawn to scale and legible when reduced to an 8 1/2" x 11" size and include the following:

1. Street, curb, sidewalk, property lines and all existing/proposed improvements in the sidewalk area.
2. Frontage of the building or tenant space serving the proposed sidewalk cafe and adjacent buildings or tenant spaces.
3. Boundaries of the sidewalk cafe.
4. Dimension the distance between the sidewalk cafe and the entrance to the adjacent commercial business (8-foot minimum).
5. Dimension the distance between the railing of the sidewalk cafe and the curb. A minimum of 8'-0" of paved sidewalk must be provided for sufficient pedestrian traffic.

6. Dimension the distance between any obstruction (parking meters, lights, signs, mail boxes, trees, tree grates, etc.) in the sidewalk area to the railing of the sidewalk cafe. A minimum distance of 8'-0" is required for pedestrian traffic.
7. Plans must reflect that the direction and extent of swing of gates or other objects placed within the sidewalk cafe area do not project beyond the delineated perimeter.
8. Plans must establish that the approved means of egress from the existing building are not blocked, diminished or in any way altered as a result of the new sidewalk cafe.
9. Dimension clearances for disabled access within the sidewalk cafe area.

- ❑ **Method of Attachment**

Show the method used to attach the railing of the sidewalk cafe to the sidewalk. See Figure 2 for a sample drawing of a "Standard Method of Rail Attachment" used.

- ❑ **Elevation Plan**

This is a dimensioned drawing of the face of the building which can be seen from the sidewalk (see Figure 3 for a sample elevation drawing). Include the following information on the elevation drawing:

1. Front view of the sidewalk cafe and adjacent businesses.
2. Type of sidewalk cafe enclosure used, such as railings, planters (maximum height of 3-feet).
3. Dimension height of enclosure.
4. Description of furniture to be used in the sidewalk cafe.
5. Umbrellas, awnings, canopies or outdoor heaters (propane or piped gas type), if proposed. Clearance to combustibles from the heater must be shown. A minimum distance of 7'-0" is required between the bottom of any umbrella or awning and the sidewalk.
6. Dimension the distance between the proposed sidewalk cafe and any adjacent sidewalk cafes.
7. Indicate any proposed lighting in the sidewalk cafe area.
8. Show all the proposed and existing signs related to sidewalk cafe and the restaurant.

- ❑ **Fee**

A fee must be paid at the time of submittal, refer to Information Bulletin 503, "Fee Schedule for Development & Policy Approvals/Permits." Application fees are nonrefundable, regardless of

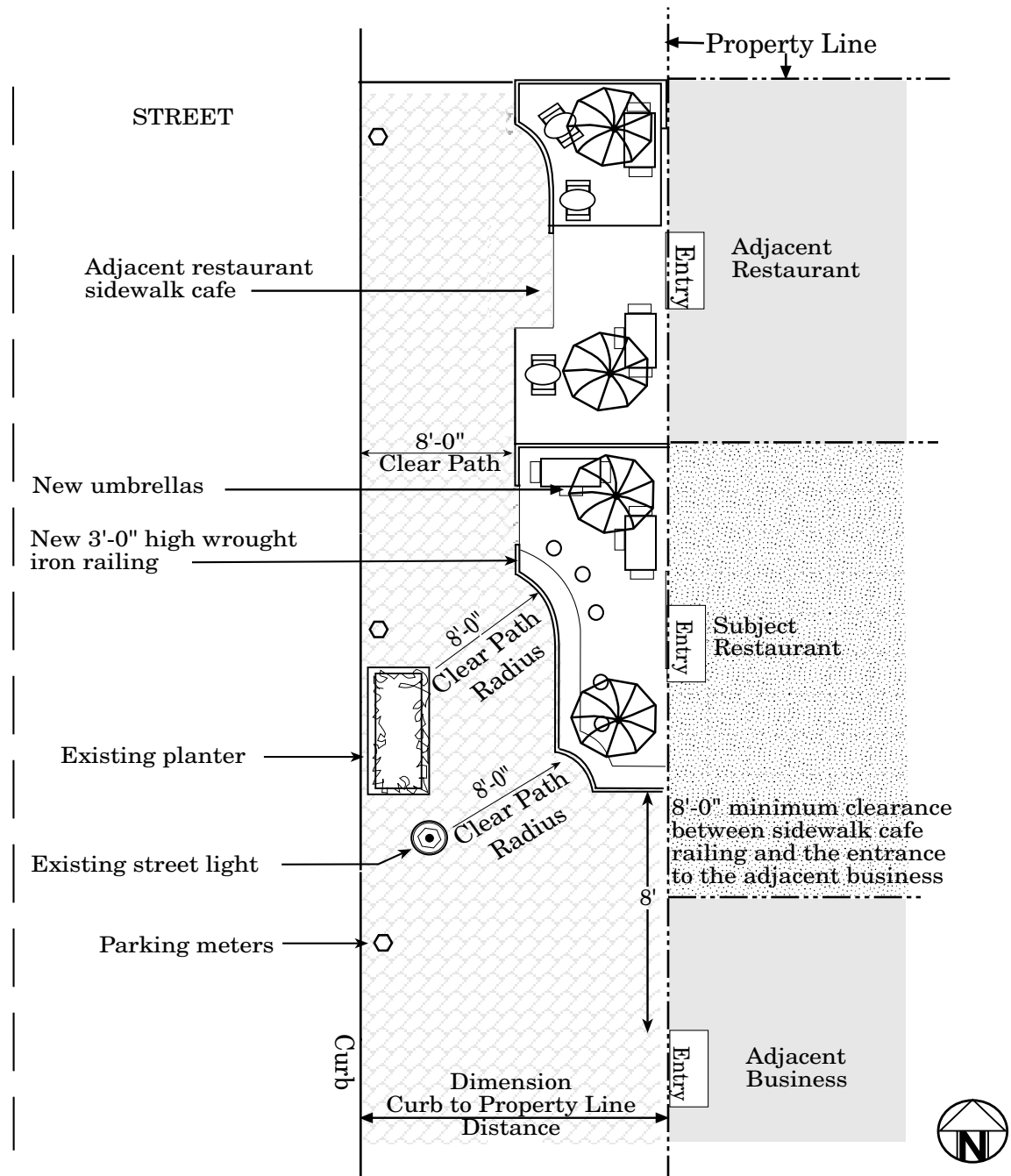
whether a sidewalk cafe Neighborhood Use permit is approved or denied.

III. SEPARATE PERMITS REQUIRED

A Public Right-of-Way Permit will be required before the Neighborhood Use Permit for a sidewalk cafe can be finalled. This requires a separate fee for the inspection of the sidewalk cafe and the recording of the Encroachment and Maintenance Removal Agreement (see Information Bulletin 502, "Fee Schedule for Construction Permits - Grading and Public Right-of-Way".)

A building permit is not required unless the proposal includes awnings, canopies, lighting for the sidewalk cafe, or signs. No signs are permitted on the sidewalk cafe except that the name and type of establishment may appear on the umbrellas or valance of an awning not to exceed four (4) square feet per side. A sign permit is not required for the 4 square feet permitted on the umbrellas or awnings. A separate sign permit is required for any signs on the building frontage.

Figure 1/Sample Sidewalk Cafe Site Plan

**Property Owner or Tenant Information**

Mr. & Mrs. Smith
1234 Elm St.
San Diego, CA 92100

Sidewalk Cafe Address

5678 Maple St.
San Diego, CA 92100

Legal Description

Lot 123, Block 4
City Heights Subdivision
Map 5678
APN #123-456-07

Figure 2/Standard Method of Rail Attachment

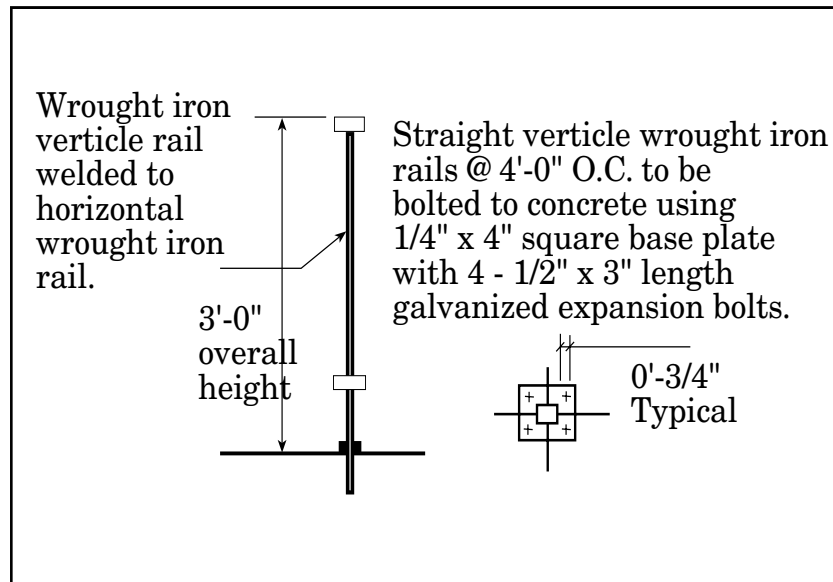


Figure 3/Sample Sidewalk Cafe Elevation

